PAGE 114 . RCVD AT 10121/2008 4:10:49 PM [Eastern Daylight Time] . SVR:USPTO-EFXRF-6/10 " DNIS:2738360" CSID:9788673060 " DURATION (mm-ss):01-62

Approved for use through 09/30/2008, OMB 0651-0031

U.S. Patent and Tredemark Office; U.S. DEPARTMENT OF COMMERCE

Under the Passagend, Reduction Act of 1985, po persons are required to respond to a collection of information unless it displays a valid OMB control manber. Application Number 10/665,256 RECEIVED TRANSMITTAL Filing Date 09/20/2003 CENTRAL FAX CENTER First Named Inventor **FORM** KURUP, SHREE Art Unit 3711 OCT 2 1 2008 Examiner Name MB. LEGESSE (to be used for all correspondence after initial fläng) Attorney Docket Number **34** KURUP-1 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittel Form Drawing(6) Appeal Communication to Board Licensing-retated Papers of Appeals and Interferences Fee Attached Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Petition Amendment/Reply Petition to Convert to a Proprietary Information Provisional Application After Final ower of Attorney, Revocation Status Letter Change of Correspondence Address Affidevita/declaration(s) Other Enclosure(s) (please identify **Terminal Disclaimer** below): **Extension of Time Request** Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclooure Statement Landscape Yable on CD Remarks Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Peris under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name ROBERT NATHANS Signature Printed name ROBERT NATHANS Reg. No. 19558 Date 10-21-2008 CERTIFICATE OF TRANSMISSION/MAILING I hereby cartify that this correspondence is being (sommitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date 10-21-2008 ROBERT NATHANS Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including an application form to the USPTO. Time will very depending upon the individual case. Any comments on the generating, and submitted to complete this form endor auggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Petert and Tradement Officer, U.S. Department of Comments, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Construction for Patients, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in complating the form, cell 1-800-PTO-9199 and select option 2.

9786673060

PACE 214" RCVD AT 10/21/2008 4:10:49 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/10 * DNIS:2738300 * CSID:9786673060 * DURATION (mm-ss):01-52

In re: Shree Kurup

Application no. 10/665,256

Group art unit: 3711 Examiner: Nini Legesse 2008 GCT 24 PM 4: 16

RECEIVED CENTRAL FAX CENTER

OCT 2 1 2008

Filed 09/20/2003

NOVELTY FRAMELESS EYE WEAR FOR PROMOTING SOCIABILITY

REFUND REQUEST UNDER RULE 1.26

This is a request for a refund of \$260. The attached AX-1 shows a payment of \$515 whereas the correct fee for the notice of appeal should have been \$255.

AX-2 is a copy of the check bearing the information for electronic routing to my checking account. AX-3 (sample)shows the routing information more clearly.

Thank you,

Respectfully_Submitted

Robert Nathans Attorney for applicant 978-667-3060

Robnathans@aol.com

BECEIVED CENTRAL FAX CENTER

OCT 2 1 2008

PACE 314 * RCVD AT 10/21/2008 4:10:49 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6110 * DNIS:273/300 * CSID:978/66/3060 * DURATION (mm-s3):01-52

PTO/S8/31 (08-06) Approved for use through 09/50/2008, CMB 0651-0031 Indoment Office; U.S. DEPARTMENT OF COMMERCE U.S. Petent and Trade orwistion unless it displays a valid OMB control number Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of in Docket Number (Optional) NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES **KURUP-3** I hereby certify that this correspondence is being facaimile transmitted In re Application of to the USPTO or deposited with the United States Postal Service with SHREE KURUP cufficient postage as first class mail in an envelope addressed to Filed Application Number "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450' [37 CFR 1.8(a)] 09/22/2008 09/20/2003 10/665256 FOR NOVELTY FRAMELESS EYEWEAR Signature Examinar Art Unit MŞ. NINA LEGESSE Typed or printed ROBERT NATHANS 3711 Applicant hereby appeals to the Board of Patent Appeals and interferences from the tast decision of the examiner. \$1030 The lea for this Notice of Appeal is (37 CFR 41.20(b)(1)) Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced <u>s</u> 515 by half, and the resulting fee is: A check in the amount of the fee is enclosed. Payment by credit card, Form PTO-2038 is attached. The Director has already been authorized to charge less in this application to a Deposit Account. The Director is hereby authorized to charge any fees which may be required, or credit any ownpayment to Deposit Account No. A petition for an extension of time under 37 CFR 1.138(a) (PTO/S8/22) is enclosed. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. I seen the applicant/inventor. assignce of record of the entire interest. ROBERT NATHANS See 37 CFR 3.71, Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98) Typed or printed mame sticiney or agent of record. 978-667-3060 197558 Registration number Totachone number attorney or agant acting under 37 CFR 1.34. Registration restriper if acting under 37 CFR 1.34. 09/22/2008 Date NOTE: Signatures of all the inventors or assignants of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a bonefit by the public which is in its family the public which is unless to to process) an application. Confidenties by a governed by 38 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to to process) an application. Confidenties by a completed application form to the USPTO. These still very depending upon the individual case. Any complete, including gathering, properties, and starmiting the completed application form to the USPTO. These still very depending upon the individual case. Any comments on the entendent of time you require to complete by support to reducing the barden, should be seen to the Creat Information Officer.

U.S. Peterst and Tradentiat Office, U.S. Department of Committees, P.O. Box 1450, Alexandria, VA 22313-1420. DO NOT SEND TO: Committees for Patients, P.O. Box 1450, Alexandria, VA 22313-1420.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

9786673868

forma are submitted.

a

"Total of

7

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspio.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,256	09/20/2003	Shree K. Kurup	KURUP-3	6918
7590 08/26/2008 ROBERT NATHANS 36 STAG DRIVE			EXAMINER	
			LEGESSE, NINI F	
BILLERICA, MA 01821			ART UNIT	PAPER NUMBER
		·	3711	
•			MAIL DATE	DELIVERY MODE
			08/26/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTO/S8/31 (08-08)

Approved for use through 09/30/2008. OMB 0851-0031

U.S. Petent and Trademark Office; U.S. DEPARTMENT OF COMMERCE privork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

KURUP-3

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to	In re Application of SHREE KURUP					
*Commissioner for Patents P.O. Roy 1450, Alexandria VA 22313-	Application Number	Filed				
1450" [37 CFR 1.8(a)] 09/22/2008	10/665256	09/20/2003				
Signature	FOR NOVELTY FRAMELESS EYEWEAR					
	Art Unit	Examiner				
Typed or printed ROBERT NATHANS	3711	MS. NINA LEGESSE				
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.						
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))	s \$1030					
Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:						
A check in the amount of the fee is enclosed.						
Payment by credit card. Form PTO-2038 is attached.						
The Director has already been authorized to charge fees in this application to a Deposit Account.						
The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No						
A petition for an extension of time under 37 CFR 1.136(a) (PTO/S8/	A petition for an extension of time under 37 CFR 1.136(a) (PTO/S8/22) is enclosed.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
I am the						
applicant/inventor.	Signature					
assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.	ROBERT NATHANS					
(Form PTO/SB/96)	Typed or printed name					
attorney or agent of record. Registration number	978-667-3060					
Telephone number						
attorney or agent acting under 37 CFR 1.34.	09/22/2008					
Registration number if acting under 37 CFR 1.34.	Date					
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.						
The state of the s						
Total of forms are submitted.						

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/22/2008 EAREGAY1 00000847 10665256

81 FC:2483

515.69 OP

Refund Ref: 10/30/2008 SDIRETA1 0000164976 (0.5)